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FILED: 3/30/07

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Diego Santiago,

Plaintiff,

-against-

The Village of Ossining Police Department,

Defendant.

Civil Action No. 06-cv-5422(KMW)(FM)

ECF CASE

ORIGINAL

Amended Scheduling Order

Pursuant to the proposed schedule in this case presented by counsel for the parties, the Scheduling Order in this case is hereby amended as follows:

1A **Discovery:** Except for good cause shown, all discovery shall be completed by **June 12, 2007**. Any further extensions shall be granted only upon a showing of good cause that additional time is needed.

1B *The April 13, 2007 telephone conference is adjourned*  
2. **Motions:** Except for good cause shown, no motions shall be filed or heard after **July 3, 2007**. The parties may satisfy this deadline through the submission of a letter to the Court requesting a pre-motion conference. *June 13, 2007, at 10AM.*

3. **Pretrial Order:** A joint pretrial Order shall be submitted by **July 13, 2007**. The pre-trial order shall conform to the Court's instructions, a copy of which may be obtained from the deputy clerk. It shall be accompanied by **Memoranda of Law**, and, in a case to be tried to a jury, proposes *Voir Dire* and **Requests to Charge**.

4. **Trial.** The parties shall be ready for trial on or after **July 16, 2007**. Estimated trial time is **three (3) days**. This is a jury trial.

5. **Final Pretrial Conference.** The Court will schedule a final pretrial conference in jury cases after the parties have filed their pre-trial order.

**Other Directions:**

A pending dispositive motion cancels any previously scheduled status conference and adjourns the dates set out on this Scheduling Order as to all parties making or opposing the motion. In the event a dispositive motion is made after the completion of discovery, the dates for submitting the Memoranda of Law, Requests to Charge, Proposed *Voir Dire*, Pretrial Order and start of trial shall be changed from that shown above to three (3) weeks from the decision on the motion. The final pretrial conference, if any, will be scheduled by the Courtroom Deputy.

At any time after the Ready Trial Date, the Court may call the parties to trial upon forty-eight hours' notice. Therefore, Counsel must notify the Court and their adversaries in writing of any potential scheduling conflicts, including, but not limited to, trials and vacations, that would prevent a trial at a particular time. Such notice must come before counsel are notified by the Court of an actual trial date, not after. Counsel should notify the Court and all other counsel in writing, at the earliest possible time of any particular scheduling problems involving out of town witnesses or other exigencies.

The parties also have the option of trying this action before Magistrate Judge Maas, who is assigned to this case. *See* 28 U.S.C. § 636(c). Such a trial would be identical to a proceeding before this Court in all respects, and the judgment would be directly appealable to the Second Circuit Court of Appeals. Given the nature of this Court's criminal docket, it is more likely that electing to proceed before the Magistrate Judge would result in the parties receiving a firm trial date.

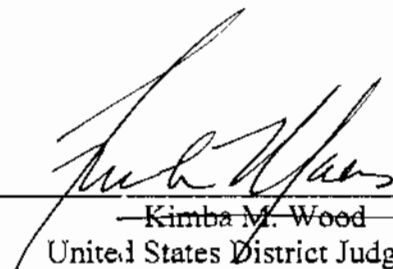
All communications to the Court and all filed papers must identify the name and docket number of the case, followed by the initials of the Judge (KMW), contain the

writer's typewritten name, party's name, law firm (if any) business address and telephone number, and be signed by the individual attorney responsible for the matter (unless the party is proceeding *pro se*). Any letter to the Court must state the manner in which the letter was served on all other counsel.

If either party wishes to change the dates set forth in this Scheduling Order, it must submit a written request to the Court that complies with § 1.E. of Judge Wood's Individual Practices.

SO ORDERED.

DATED: New York, New York  
March 30, 2007

  
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Kimba M. Wood  
United States District Judge

FRANK MATAS